

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 Edward Jones,  
4 Plaintiff

5 v.

6 Daryl Morgan et al.,  
7 Defendants

Case No.: 2:23-cv-02100-JAD-MDC

**Order Adopting Report and  
Recommendation and Dismissing Case**

[ECF Nos. 3, 6, 7]

8 Pro se plaintiff and Clark County Detention Center detainee Edward Jones brings this  
9 civil-rights action alleging a host of constitutional violations preceding and following his arrest  
10 for murder. The magistrate judge has screened Jones's complaint and recommends it be  
11 dismissed with prejudice "because he cannot maintain his alleged claims as a matter of law."<sup>1</sup>  
12 The problem for Jones, as the magistrate identifies it, is that all of his claims are barred by the  
13 United States Supreme Court's ruling in *Heck v. Humphrey*, 512 U.S. 477 (1944). That case  
14 holds that no civil-rights claim seeking damages under 42 U.S.C. § 1983, which implies the  
15 invalidity of a conviction or confinement, can proceed unless the prisoner can establish that the  
16 underlying sentence or conviction has been invalidated on appeal or through habeas or a similar  
17 proceeding. And because Jones's claims imply the invalidity of his confinement, they are *Heck*-  
18 barred.

19 The deadline for Jones to object to that recommendation was March 23, 2024, and he  
20 neither filed an objection nor moved to extend the deadline to do so. "[N]o review is required of a

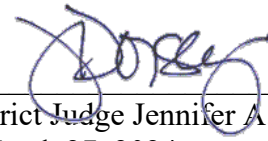
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<sup>1</sup> ECF No. 7 at 1.

1 magistrate judge's report and recommendation unless objections are filed."<sup>2</sup> Having reviewed  
2 the report and recommendation, I find good cause to adopt it, and I do.

3 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation  
4 **[ECF No. 7] is ADOPTED** in its entirety, **this case is DISMISSED** for failure to state a claim,  
5 and **all pending motions [ECF No. 3, 6] are DENIED as moot. The Clerk of Court is**  
6 **directed to ENTER JUDGMENT accordingly and CLOSE THIS CASE.**

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U.S. District Judge Jennifer A. Dorsey  
Dated: March 27, 2024

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<sup>2</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474  
23 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).